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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/767,345   | 01/30/2004  | James B. Clarke      | 06502.0577          | 5235             |
| 58328 7590 05/12/2009<br>SUN MICROSYSTEMS<br>C/O SONNENSCHN NATH & ROSENTHAL LLP<br>P.O. BOX 061080<br>WACKER DRIVE STATION, SEARS TOWER<br>CHICAGO, IL 60606-1080 |             |                      |                     |                  |
| EXAMINER   |             |                      |                     |                  |
| MIRZA, ADNAN M   |             |                      |                     |                  |
| ART UNIT   |             | PAPER NUMBER         |                     |                  |
| 2445   |             |                      |                     |                  |
| MAIL DATE  |             | DELIVERY MODE        |                     |                  |
| 05/12/2009   |             | PAPER                |                     |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/767,345

**Applicant(s)**

CLARKE ET AL.

**Examiner**

ADNAN MIRZA

**Art Unit**

2445

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swann et al (U.S. 2005/0086239) and further in view of Bowman-Amuah (U.S. 6,370,573).

1. As per claims 1,11,17 Swann disclosed processing the identification information by the filter application to create processed information including at least an identification code for the item; providing the processed information from the filter application to the logger application; providing the processed information to a recipient by the logger application; and monitoring the application corresponding to each service to determine whether any application fails (Page. 10, Paragraph. 0120).

However Swann did not disclose, “a method for providing an identification service in a distributed system, comprising: dynamically creating an application corresponding to each of a plurality of service elements, the service elements including an adapter, a filter, and a logger; receiving, by the adapter application, identification information

corresponding to an item from a reader; providing the identification information from the adapter application to the filter application”.

In the same field of endeavor Bowman-Amuah disclosed, “Dynamic real-time Web pages can be created. Using the above mentioned custom UI components, dynamic Web pages can also be created. Sun’s Java language has emerged as an industry-recognized language for “programming the Internet”. Sun defines Java as: “a simple, object-oriented, distributed, interpreted, robust, secure, architecture-neutral, portable, high performance, multithreaded, dynamic buzzword-compliant, general-purpose programming language” (col. 8, lines 60-67 & col. 9, lines 1-2).

It would have been obvious to one having ordinary skill in the art at the time of the invention was to made to have incorporated Dynamic real-time Web pages can be created. Using the above mentioned custom UI components, dynamic Web pages can also be created. Sun’s Java language has emerged as an industry-recognized language for “programming the Internet”. Sun defines Java as: “a simple, object-oriented, distributed, interpreted, robust, secure, architecture-neutral, portable, high performance, multithreaded, dynamic buzzword-compliant, general-purpose programming language as taught by Bowman-Amuah in the method and system of Swann to increase faster interaction over the Web level between the clients and servers.

2. As per claims 2,12,22 Swann-Bowman-Amuah disclosed wherein the establishing further comprises: for each of the service elements, determining whether an application corresponding to the service element is running in the distributed system, and creating the application corresponding to the service element, if the application corresponding to the service element is not running in the distributed system (Swann, Page. 7, Paragraph. 0095).

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3. As per claim 3 Swann-Bowman-Amuah disclosed wherein the communication is established using an event handling protocol and the identification data is transmitted as an event produced (Swann, Page. 10, Paragraph. 0121)
4. As per claim 4 Swann-Bowman-Amuah disclosed wherein the communication is established using an event handling protocol and the processed data is transmitted as an event produced by the filter (Swann, Page. 14, Paragraph. 0190).
5. As per claim 5 Swann-Bowman-Amuah disclosed wherein the communication is established using an event handling protocol and the user is notified by an event produced by the filter (Swann, Page. 14, Paragraph. 0190).
6. As per claim 6 Swann-Bowman-Amuah disclosed further comprising re-establishing communication with a service element, when the service element fails (Swann, Page. 5,

Paragraph. 0078).

7. As per claims 7,13 Swann-Bowman-Amuah disclosed wherein the service elements further include a queue, the method further comprising: receiving, by the queue, the identification data; and holding the identification data in queue for the filter (Swann, Page. 24, Paragraph. 0540).
8. As per claims 8,20 Swann-Bowman-Amuah disclosed wherein the processing further comprises: extracting an identification code from the identification data, and wherein the processed data comprises the identification code (Swann, Page. 10, Paragraph. 0121).
9. As per claims 9,15,21 Swann-Bowman-Amuah disclosed wherein the identification code is an electronic product code (EPC) (Swann, Page. 10, Paragraph. 0121).
10. As per claims 10,14,19 Swann-Bowman-Amuah disclosed wherein the reader is a Radio Frequency Identification (Swann, Page. 6, Paragraph. 0080).
11. As per claims 16,18 Swann-Bowman-Amuah disclosed formatting the processed data according to a format corresponding to the user (Swann, Page. 10, Paragraph. 0121).

***Response to Arguments***

12. Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

13. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Adnan Mirza whose telephone number is (571)-272-3885.

14. The examiner can normally be reached on Monday to Friday during normal business hours. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571)-272-3933. The fax for this group is (703)-746-7239. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866)-217-9197 (toll-free).

/A. M. M./

Examiner, Art Unit 2145

/Jason D Cardone/  
Supervisory Patent Examiner, Art Unit 2445